IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Arudi et al.

Title:

DISPERSIBLE PROTEIN

COMPOSITION

Application No.:

To be determined

Filing Date:

To be determined

Examiner:

To be determined

Art Unit:

To be determined

CERTIFICATE OF EXPRESS MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

EUH1775998705 3/3104
(Express Mail Label Number) (Date of Deposit)

Tudith G Pankratz
(Printed Name)

Judith Usankratz
(Signature)

Mail Stop **PATENT APPLICATION**Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.56

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(b), within three (3) months of the filing date of the application.

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date March 31, 2004

CARGILL, INCORPORATED

P.O. Box 5624

Minneapolis, Minnesota 55440-5624

Telephone:

(952) 742-0144

Facsimile:

(952) 742-6349

Edward L. Levine

Attorney for Applicants

Registration No. 28,097

Page 1 of 4 Form PTO-1449 U.S. DEPARTMENT OF COMMERCE ATTORNEY DOCKET NO. SERIAL NO. (MODIFIED) PATENT AND TRADEMARK OFFICE 023829-0220 To be determined APPLICANTS INFORMATION DISCLOSURE CITATION ·Arudi et al. FILING DATE **GROUP ART UNIT** (Use several sheets if necessary) To be determined To be determined **U.S. PATENT DOCUMENTS FILING DATE EXAMINER** DOCUMENT SUB-DATE NAME CLASS REF IF INITIAL CLASS NUMBER **APPROPRIATE** A1 6,677,327 B1 01/13/2004 Gottemoller A2 6,630,195 B1 10/07/2003 Muralidhara et al. **A3** 6,599,556 B2 07/29/2003 Stark et al. Α4 2003/0124226 A1 07/03/2003 Tsukuda et al. 05/15/2003 **A5** 2003/0091717 A1 Porter et al. FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT SUB-COUNTRY REF DATE CLASS NUMBER CLASS YES NO GB 1 540 376 02/14/1979 Great Britain A52 A53 1 580 051 11/26/1980 United Kingdom A54 WO 98/12209 03/26/1998 PCT WO 02/100186 A2 12/19/2002 PCT A55 PCT WO 03/092402 A1 11/13/2003 A56 OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) International Search Report for PCT/US01/43304 dated December 19, 2002 (2 pages), A57 Cheryan, "Mass Transfer Characteristics of Hollow Fiber Ultrafiltration of Soy Protein Systems," J. Food Proc. Eng., 1, pp. A58 269-287 (1977). Gould et al., "A Practical Approach to Controlling the Fouling of Ultrafiltration Membranes: A Case Study of the Successful Development of a Commercial Soy Protein Application," available @ http://www.osmonics.com/products/Page823.htm A59 (available at least by Dec. 3, 1999). Lawhon et al., "Processing Whey-Type By-Product Liquids from Cottonseed Protein Isolation with Ultrafiltration and Reverse A60 Osmosis Membranes," <u>J. Food Proc. Eng.</u>, <u>1</u>, pp. 15-35 (1977). Lawhon et al., "Production of Protein Isolates and Concentrates from Oilseed Flour Extracts using Industrial Ultrafiltration A61 and Reverse Osmosis Systems," Journal of Food Science, 42, pp. 389-394 (1977). Lawhon et al., "Optimization of Protein Isolate Production from Soy Flour Using Industrial Membrane Systems," Journal of A62 Food Science, 43, pp. 361-369 (1978). Lawhon et al., "Alternate Processes for Use in Soy Protein Isolation by Industrial Ultrafiltration Membranes," Journal of Food A63 Science, 44, pp. 213-219 (1979). Lawhon et al., "Soy Protein Ingreedients Prepared by New Processes-Aqueous Processing and Industrial Membrane A64 Isolation," Journal of the American Oil Chemists' Society, 58, pp. 377-383 (Mar. 1981). Lawhon et al., "Production of Oil and Protein Food Products from Raw Peanuts by Aqueous Extraction and Ultrafiltration," A65 Journal of Food Science, 46, pp. 391-395 (1981). Lawhon et al., "Combining Aqueous Extraction and Membrane Isolation Techniques to Recover Protein and Oil from A66 Soybeans," Journal of Food Science, 46, pp. 912-916 (1981). **EXAMINER**

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.

Page 2 of 4

Form PTO-1449		U.S. DEPARTMENT OF COMMERCE			ATTORNEY DOCKET NO.		SERIAL NO.	
(MODIFIED)		PATENT AND TRADEMARK OFFICE		023829-0220		To be determined		
INFO	ORMATI	ON DISCLOSURE	CITATION		APPLICANT	Arudi et	: al.	
INFORMATION DISCLOSURE CITATION					FILING DATE		GROUP ART UNIT	
(Use several sheets if necessary)			To be determined		To be determined			
		·	U.S. PA	ATEN	T DOCUMENTS		<u> </u>	
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE		NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A6	6,517,876 B2	02/11/2003	73 Tsukuda et al.				
	A7	6,514,546 B2	02/04/2003	Tsu	kuda et al.	- 	 	
	A8	2002/0106440 A1	08/08/2002	Port	ter et al.			
-	A9	2002/0106437 A1	08/08/2002	Karl	eskind et al.	-		
	·A10	2002/0102346 A1	08/01/2002	Star	k et al.			
	A11	5,760,182	06/02/1998	Adachi et al.		1.		
	A12	5,086,166	02/04/1992 .					
	A13	5,039,420	08/13/1991	Klei	n et al.		· ·	
	A14	5,000,848	03/19/1991	Hod	gins et al.		-	
	A15	4,943,374	07/24/1990	Heir	ninger et al.			
-	A16	4,943,373	07/24/1990	Oni	shi et al.			
	A17	4,906,379	03/06/1990	Hod	gins et al.			
	A18	4,897,465	01/30/1990	Cor	dle et al.		·	
-	A19	4,889,921	12/26/1989	Dios	sady et al.			
	A20	4,787,976	11/29/1988	Parl	nam et al.			
	A21	4,697,004	09/29/1987	Pus	ki et al.			
	A22	4,624,805	11/25/1986	Law	hon			
	A23	4,608,203	08/26/1986	Aka	saka et al.			
.,	A24	4,420,425	12/13/1983	Law	hon			
 :	A25	4,332,719	06/01/1982	Law	hon et al.			
	A26	4,324,805	04/13/1982	Olse	en			
	A27	4,293,571	10/06/1981	Olof	sson et al.			
	A28	4,256,652	03/17/1981	Kida	ani et al.			
	A29	4,252,652	02/24/1981	Elfe	rt et al.			
	A30	4,163,010	07/31/1979	Gar	butt			
	A31	4,147,745	04/03/1979	San	o et al.			
	A32	4,125,527	11/14/1978	Buh	ler et al.		· · · · · ·	
	A33	4,091,120	05/23/1978	Goo	dnight, Jr. et al.	 		
	A34	4,088,795	05/09/1978	Goo	dnight, Jr. et al.			
	A35	4,075,361	02/21/1978	Obe	erg		 -	
	A36	4,072,670	02/07/1978	Goo	dnight, Jr. et al.			

Page 3 of 4

Form PTO-14	49	U.S. DEPARTME			ATTORNEY DOCKET		SERIAL NO	
(MODIFIED) PATENT AND TRADE		ADEMARK OFFI	CE	023829-0220		To be determined		
INFO	ORMATI	ON DISCLOSURE	CITATION		APPLICANT	Arudi et	al.	
				FILING DATE		GROUP ART UNIT		
(Use several sheets if necessary)					To be determined		To be determined	
			U.S. PA	ATEN	T DOCUMENTS			
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE		NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A37	4,069,103	01/17/1978	Müll	er			
	A38	4,028,468	06/07/1977	Hoh	ner et al.			
	A39	4,018,752	04/19/1977	Büh	ler et al.			
	A40	3,995,071	11/30/1976	Goo	dnight, Jr. et al.			,
	A41	3,993,636	11/23/1976	Mau	bois et al.			
	A42	3,962,292	06/08/1976	Szu	haj et al.			
	A43	3,958,015	05/18/1976	Gay				
	A44	3,896,241	07/22/1975	Mala	aspina et al.			
	A45	3,880,755	04/29/1975	Tho	mas et al.			
	A46	3,736,147	05/29/1973	laco	bucci et al.			
	A47	3,728,327	04/17/1973	Fraz	eur et al.			
	A48	3,622,556	11/23/1971	0,0	onnor			
	A49	3,586,662	06/22/1971	0,0	onnor			
	A50	3,291,614	12/13/1966	Tum	erman et al.			
	A51	2,445,948	07/27/1948	Witt	coff			
				,				

Page 4 of 4

			Page 4 of 4				
Form PTO-1449	U.S. DEPARTMENT OF COMMERCE	ATTORNEY DOCKET NO.	SERIAL NO.				
(MODIFIED)	PATENT AND TRADEMARK OFFICE	023829-0220	To be determined				
		APPLICANT					
INFORMAT	ION DISCLOSURE CITATION	Arudi et al.					
	•	FILING DATE	GROUP ART UNIT				
(Use :	several sheets if necessary)	To be determined	To be determined				
	OTHER DOCUMENTS (Including A	Author, Title, Date, Pertinent Pages,	Etc.)				
A67	A67 Lawhon et al., "New Techniques in Membrane Processing of Oilseeds," Food Technology, 38, pp. 97-106 (1984).						
A68	Nichols et al., "Production of Soy Isolates by Ultrafiltration: Factors Affecting Yield and Composition," <u>J. Food Sci., 46, pp.</u> 367-372 (1981).						
A69	Ogino et al., "Interfacial Action of Natural Surfactants in Oil/Water Systems," <u>Journal of Colloid and Interface Science</u> , <u>83</u> , pp. 18-25 (September 1981).						
A70	Okubo et al., "Preparation of Low-Phytate Soybean Protein Isolate and Concentrate by Ultrafiltration," Cereal Chemistry, 52, pp. 263-271 (1975).						
A71	Omosaiye et al., "Removal of Oligosaccharides from Soybean Water Extracts by Ultrafiltration," <u>J. Food Sci., 43, pp. 354-360</u> (1978).						
A72	Omosaiye et al., "Ultrafiltration of Soybean Water Extracts: Processing Characteristics and Yields," <u>J. Food Sci.</u> , <u>44</u> , pp. 1027-1031 (1979).						
A73	Omosaiye et al., "Low-Phytate, Full-Fat Soy Protein Product by Ultrafiltration of Aqueous Extracts of Whole Soybeans," Cereal Chem., 56, pp. 58-62 (1979).						
A74	Osmonics, "Osmonics® Ultrafilic ® M-Series Membrane Engineered to be 'Fouling-Free,'" available @ http://www.osmonics.com/scripts/PressTmpl.asp?PressRelID=307 (dated Oct. 4, 1999). Osmonics, "UltraFilic Membranes," available @ http://www.osmonics.com/products/Page918.htm (available at least by Nov. 15, 2000).						
A75							
A76	Porter et al., "Membrane ultrafiltration," Chem. Tech., pp. 56-63 (Jan. 1971).						
A77	S. K. Sayed Razavi, J. L. Harris, F. Sherkat, "Fouling and cleaning of membranes in the ultrafiltration of the aqueous extract of soy flour," <u>Journal Of Membrane Science</u> , 114 (1996), pp. 93-104.						
A78	Torok, "The Filtration Spectrum," available @ http://www.osmonics.com/products/Page710.htm (Published in "Filtration News" on May 1, 1994).						
A79	A79 United Soybean Board, "Soy Protein Isolate" available @ http://www.talksoy.com/isolate.htm (available at least by Sept. 6, 2000).						